

1  
2  
3  
4  
5  
6  
7  
8                   UNITED STATES DISTRICT COURT  
9                   WESTERN DISTRICT OF WASHINGTON  
10                  AT TACOMA

11                  DEREK L. BLANKS

12                  Petitioner,

13                  v.

14                  PAT GLEBE,

15                  Respondent.

16                  Case No. C10-5117RJB/JRC

17                  ORDER DIRECTING SERVICE AND  
18                  RETURN, § 2254 PETITION

19                  (l)       The clerk shall arrange for service by certified mail upon respondent and the  
20                  Attorney General for the State of Washington, copies of the petition, all documents in support  
21                  thereof. All costs of service shall be advanced by the United States. The Clerk shall assemble  
22                  the necessary documents to effect service. In addition, the Clerk shall send petitioner a copy of  
23                  this Order, along with a copy of the Court's General Order regarding pro se litigation.

24                  (2)       Within forty-five (45) days after such service, respondent(s) shall file and serve  
25                  an answer in accordance with Rule 5 of the Rules Governing § 2254 Cases in United States  
26                  District Courts. As part of such answer, respondent(s) should state whether petitioner has  
                exhausted available state remedies, whether an evidentiary hearing is necessary, and whether  
                there is any issue of abuse or delay under Rule 9. Respondent shall not file a dispositive motion  
                in place of an answer without first showing cause as to why an answer is inadequate.

ORDER - 1

1 Respondent(s) shall file the answer with the Clerk of the Court and serve a copy of the answer  
2 upon petitioner.

3       (3)     The answer will be treated in accordance with Local Rule CR 7. Accordingly,  
4 upon receipt of the answer the Clerk will note the matter for consideration on the fourth Friday  
5 after the answer is filed, petitioner may file and serve a response not later than on the Monday  
6 immediately preceding the Friday appointed for consideration of the matter, and respondent may  
7 file and serve a reply brief not later than on the Thursday immediately preceding the Friday  
8 designated for consideration of the matter.

9                      DATED this 6<sup>th</sup> day of April, 2010.  
10

11                        
12

13                      J. Richard Creatura  
14                      United States Magistrate Judge  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

ORDER - 2